

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re

The Hertz Corporation, *et al.*,¹

Debtors.

Chapter 11

Case No. 20-11218 (MFW)

(Jointly Administered)

The Hertz Corporation, *et al.*,

Plaintiffs,

-against-

HANNAH AYOUB, NICOLE STEVENS,
SHONTRELL HIGGS, JULIUS BURNSIDE,
MAGALIE STERLIN, ARTHUR STEPANYAN,
HOWARD JUNIOUS, LAKETA COLLINS,
MICHELLE JOHNSON, BRIAN STEINBERG,
ANTWONE PERSON, MICHAEL KOSS, AMANDA
KOSS, CHERYL YOUNG, STEPHANIE KEENE,
JAMES KEENE, BARBARA FERNANDEZ,
THOMAS JOHN CHANNELL, MICHAEL
CHANNELL, JESSICA GURUMENDI, NANCY
CULLEN-SMITS, RYAN SMITS, HENRY B.
ESSICK III, BRENT D. WILLIAMS, SR.,
ALEXANDROS GIDER, CHRISTINA GIDER,
ROULA VANGELIS,

Defendants.

Adv. Pro. No. 20-_____(MFW)

DECLARATION OF SAMUEL P. HERSHEY

¹ The last four digits of The Hertz Corporation's tax identification number are 8568. The location of the debtors' service address is 8501 Williams Road, Estero, FL 33928. Due to the large number of debtors in these chapter 11 cases, for which joint administration for procedural purposes has been requested, a complete list of the debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the debtors' proposed claims and noticing agent at <https://restructuring.primeclerk.com/hertz>.

I, Samuel P. Hershey, declare:

1. I am an associate at the law firm White & Case LLP, 1221 Avenue of the Americas, New York, New York 10020, counsel for the Debtors in the above-captioned cases. I am admitted to this Court *pro hac vice* and respectfully submit this Declaration.

2. Unless otherwise stated, the matters set forth below are of my own personal knowledge, or upon information and belief based upon review of relevant documents made available to me, and discussions with members of the Debtors' senior management.

3. I am authorized to submit this Declaration on behalf of the Debtors. If requested, I am able to testify competently to the facts set forth in this Declaration.

4. Attached hereto as Exhibit A is a true and correct copy of a letter (without addenda) sent by Francis Malofiy to Kathryn V. Marinello, then-CEO of The Hertz Corporation, Inc., Dollar Thrifty Automotive Group, Inc., and Donlen Corporation, dated February 13, 2020.

4. Attached hereto as Exhibit B is a true and correct copy of Hertz Global Holdings, Inc.'s Amended and Restated By-Laws.

5. Attached hereto as Exhibit C is a true and correct copy of excerpts of Executive and Organization Liability Insurance Policy No. 01-544-01-88 issued to Hertz Global Holdings, Inc. for the June 30, 2019 to June 30, 2020 policy period.²

6. Attached hereto as Exhibit D is a true and correct copy of an excerpt Marsh Alpha Difference in Conditions Directors and Officers Liability Insurance Policy No. B0509FINMN1900600 issued to Hertz Global Holdings, Inc. for the June 30, 2019 to June 30, 2020 policy period.

² Policy numbers and premium amounts in the attached insurance policies have been redacted.

7. Attached hereto as Exhibit E is a true and correct copy of excerpts of Commercial General Liability Policy No. HDO G71209519 issued to The Hertz Corporation for the January 1, 2019 to January 1, 2020 policy period.

8. Attached hereto as Exhibit F is a true and correct copy of excerpts Ace Umbrella Plus Commercial Umbrella Liability Policy No. G27936404 004 issued to Hertz Global Holdings, Inc. for the January 1, 2019 to January 1, 2020 policy period.

9. Attached hereto as Exhibit G is a true and correct copy of The Hertz Corporation and Hertz Vehicles, LLC's Illinois certificate of self-insurance for 2018-2020.

10. Attached hereto as Exhibit H is a true and correct copy of excerpts of Ace Umbrella Plus Commercial Umbrella Liability Policy No. G27936404 005 issued to Hertz Global Holdings, Inc. for the January 1, 2020 to January 1, 2021 policy period.

11. Attached hereto as Exhibit I is a true and correct copy of Hertz's Florida certificate of self-insurance for 2018.

12. Attached hereto as Exhibit J is a true and correct copy of excerpts of Ace Umbrella Plus Commercial Umbrella Liability Policy No. G27936404 003 issued to Hertz Global Holdings, Inc. for the January 1, 2018 to January 1, 2019 policy period.

13. Attached hereto as Exhibit K is a true and correct copy of The Hertz Corporation's Nevada certificate of self insurance for 2016.

14. Attached hereto as Exhibit L is a true and correct copy of excerpts of Commercial Umbrella Liability Policy No. UMB 2000098 02 issued to Hertz Global Holdings, Inc. for the December 21, 2015 to December 21, 2016 policy period.

I declare under penalty of perjury that the foregoing is true and correct.

Executed: July 17, 2020
New York, New York

A handwritten signature in black ink, appearing to be 'S. Hershey', written over a horizontal line.

Samuel P. Hershey